

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

E*TRADE FINANCIAL CORPORATION and
E*TRADE SECURITIES LLC,

Plaintiffs,

-against-

MARCUS HERNANDEZ,
SEAN J. GAFFEY, and
BANC OF AMERICA INVESTMENT
SERVICES, INC.,

Defendants.

Civil Action No. 08 CV 2993 (RJH)

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable judges and magistrate judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel of record for plaintiff Banc of America Investment Services, Inc. ("BAI"), certifies that Bank of America Corporation is the parent of BAI.

Dated: April 10, 2008

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By: /s/ William E. Goydan
WILLIAM E. GOYDAN (WG-4151)